

بسم الله الرحمن الرحيم

Firstly, it should be made clear by the questioner whether the property which reached him after the death of his father was by way of inheritance or otherwise. Seeing as there is a difference in the Islamic legislation between what is known as inheritance (الإرث) and what is known as a will (الوصية). This is because as al-Imam an-Nawawi and others have mentioned the majority of the scholars from the Sahabah and the Taabieen and those after them have stated **it is not permissible for a Muslim to inherit from a disbeliever**. This is due to the statement of the Messenger sallahu alahi wa salam in the hadeeth reported by al-Bukhari (6764) and Muslim (1614) on the authority of Usmah bin Zaid –may Allaah be pleased with them both- that the Messenger –sallahu alahi wa salam said-

The Muslim does not inherit the disbeliever and the disbeliever does not inherit the Muslim.

Therefore if the questioner received this property from his father who was a disbeliever by way of inheritance, then it is not permissible for him to retain that wealth but rather he must give this wealth to those deserving of it from the Muslims and even if he gives his disbelieving relatives as Umar bin Khataab –may Allaah be pleased with him- sent a two piece garment to his brother who was a disbeliever in Makkah and the hadeeth was reported by al-Bukhari (2619). However, he should make his intention while giving this charity to them that he is attempting to draw them to al-Islam by way of this.

Secondly if the property which reached the questioner was by way of a will, being that his father designated for him a portion of his wealth then there is no harm upon him in accepting this money. This is because the scholars are in agreement that being a Muslim is not a requirement in leaving wealth behind for a person in a will, as this can be found in the book al-Mosu'ah al-Fiqheeyah (35/28).

Ibn Qudamah also stated in his book al-Mughni (6/561):

And the will of a Muslim for a free disbeliever who lives in the lands of the Muslims is valid, as the will of a free disbeliever who lives in the lands of the Muslims is valid for a Muslim...

The noble Shaykh Salih al-Fowzan mentioned in his book al-Mulazas al-Fiqhee (2/126):

**And from the rulings of the will (الوصية) is that it is valid (to be given) to any person who has the capability of owning/having it, whether he is a Muslim or a disbeliever.**

Therefore, if we benefit that it is not a condition in the will for the person writing his will or the person accepting it to be a Muslim. However, the people of knowledge mention that it is not permissible for a Muslim to accept the will of a disbeliever if the disbeliever leaves behind for him that which is haram such as alcohol or money from narcotics and so on.

Hence if this wealth entered into the possession of the questioner by way of a will, then he may retain it, give it as sadaqaah or do as he pleases with it in the obedience of Allaah –subhanahu wa taa’la-.

As for that which pertains to giving the property to Muslims in sadaqaah or to the disbelievers then the response has preceded. And as for his question about the watch which was given to him but originally belonged to his father, then this also returns to what was mentioned previously. If the watch was from the wealth that he inherited from his father then he cannot keep it due to the aforementioned hadeeth. But if the watch became the property of his sister and she decided to give it to him in charity then he may accept it and there is no harm in this. Being

that there are numerous evidences which indicate that it is permissible to accept the gifts or presents of the disbelievers as this is a means of entering them into al-Islaam. Al-Imam al-Bukhari chapter in his Saheeh

Chapter: Accepting gifts from the disbelievers

Then he mentioned several evidences about this matter.

We ask Allaah to grant us beneficial knowledge and aid us in implementing it.

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